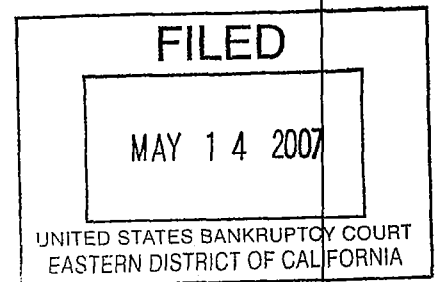


3



UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

In re

GANN BRADFORD GANNON,

Debtor.

CHRIS HAMILL,

Plaintiff,

vs.

GANN BRADFORD GANNON, ETC.,

Defendant.

Case No. 06-21897-A-7

Adv. No. 06-2316 ✓

MEMORANDUM

The defendant's motion for reconsideration from the court's May 7, 2007 order compelling the defendant to produce documents and awarding sanctions to the plaintiff will be denied for the reasons explained below.

First, the motion was not served on the plaintiff's attorney and set for hearing. The court will consider relief without notice to the other side only to avoid irreparable injury and only when notice and a hearing is not feasible.

1 Second, the basis of the motion is that the defendant did  
2 not receive the plaintiff's discovery motion and notice of the  
3 hearing on it. The defendant asserts that the motion and the  
4 notice of the hearing were sent to his former address at 11790  
5 Citrus Road, Red Bluff, CA 96080. However, the proof of service  
6 appended to the plaintiff's discovery motion indicates that it  
7 and the notice of the hearing were mailed to the defendant at 455  
8 South Main St., Red Bluff, CA 96080. The order granting that  
9 motion was also sent to the latter address.

10 According to the court file, as well as the defendant's  
11 motion for reconsideration, his address of record is 455 South  
12 Main St., Red Bluff, CA 96080.

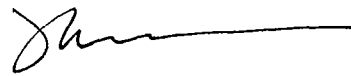
13 The defendant was properly served.

14 Third, there is nothing of substance in the motion for  
15 reconsideration that could not have been timely presented in  
16 opposition to the plaintiff's motion or that changes the court's  
17 mind regarding its disposition of the plaintiff's motion.

18 A separate order will be entered denying the defendant's  
19 motion for reconsideration.

20 Dated: *14 May 2007*

21 By the Court

22 

23 Michael S. McManus, Chief Judge  
24 United States Bankruptcy Court

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
CERTIFICATE OF MAILING

The undersigned deputy clerk in the office of the United States Bankruptcy Court for the Eastern District of California hereby certifies that a copy of the document to which this certificate is attached was mailed today to the following entities listed at the address shown on the attached list or shown below.

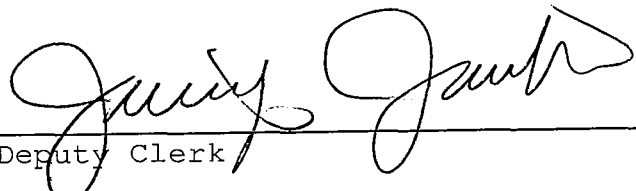
Chris Newman  
857 Jefferson St #C  
Red Bluff, CA 96080

Chris Hamill  
857 Jefferson St #C  
Red Bluff, CA 96080

Gann Gannon  
455 S Main St  
Red Bluff, CA 96080

Office of the U.S. Trustee  
501 I Street, Room 7-500  
Sacramento, CA 95814

Dated: 5.14.07

  
Deputy Clerk